

10632. Adulteration of olives. U. S. v. 21 Barrels * * *. (F. D. C. No. 16961. Sample No. 29643-H.)

LIBEL FILED: On or about August 4, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: On or about June 22, 1945, by the Copa Sales Co., from Fresno, Calif.

PRODUCT: 21 100-pound barrels of olives at Cleveland, Ohio. Examination showed the presence of moldy olives.

LABEL, IN PART: "Stoma Reg. Brand Olives Oil Coated Greek Style."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: March 21, 1946. The Copa Sales Co., shipper of the olives, and the Liberty Cash and Carry Co., Cleveland, Ohio, consignee, having appeared as claimants and having filed answers denying the adulteration of the product, but having failed to pursue the matter further, and the court having found the product to be adulterated, judgment of condemnation was entered and the olives were ordered destroyed.

VEGETABLES AND VEGETABLE PRODUCTS

10633. Adulteration of frozen asparagus. U. S. v. 555 Cases * * *. (F. D. C. No. 18155. Sample No. 32265-H.)

LIBEL FILED: October 16, 1945, District of Arizona.

ALLEGED SHIPMENT: On or about September 6, 1945, by Port of Olympia, from Olympia, Wash.

PRODUCT: 555 cases, each containing 12 2-pound cartons, of frozen asparagus at Phoenix, Ariz.

LABEL, IN PART: "Moonwinks Brand Asparagus Cuts and Tips Packed by Midfield Packers Olympia, Wash."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: December 26, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10634. Misbranding of canned corn. U. S. v. Blair Packing Corporation and Wallace W. Evans. Pleas of nolo contendere. Fines of \$1,000 against the corporate defendant and \$500 against the individual defendant. (F. D. C. No. 17869. Sample No. 28009-H.)

INFORMATION FILED: June 17, 1946, Western District of Wisconsin, against the Blair Packing Corporation, Blair, Wis., and Wallace W. Evans, vice president and general manager.

ALLEGED SHIPMENT: On or about January 10, 1945, from the State of Wisconsin into the State of Washington.

LABEL, IN PART: "Stand By Fancy Whole Kernel Golden Sweet Corn * * * Packed For Fine Foods, Inc., Seattle, Washington, Minneapolis, Minnesota."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Fancy Whole Kernel Golden Sweet Corn" was false and misleading. The statement represented and suggested that the article consisted of whole kernel golden corn of the quality known to the trade and consuming public as "Fancy," whereas the article did not consist of "Fancy" whole kernel golden corn.

DISPOSITION: October 15, 1946. Pleas of nolo contendere having been entered on behalf of both defendants, the court imposed fines of \$1,000 against the corporate defendant and \$500 against the individual defendant.

10635. Adulteration of canned peas. U. S. v. 348 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 18519, 19454, 19455, 20407. Sample Nos. 1630-H, 5045-H to 5047-H, incl., 18786-H, 23697-H.)

LIBELS FILED: December 1, 1945, and March 22 and 28 and July 18, 1946, Western District of Louisiana, District of Minnesota, and Eastern Districts of Pennsylvania and South Carolina. The South Carolina libel was subsequently amended to charge the seizure of an additional amount.

ALLEGED SHIPMENT: Between the approximate dates of September 4, 1945, and January 28, 1946, by the Antigo Canning Factory, from Antigo, Wis.